

sum of \$75.00; to Eek Martin, the sum of \$75.00; and to Robt. Rockwood, the sum of \$75.00.

The motion carried by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

The City Attorney was directed to prepare an amendment to the resolution offering a standing reward for anyone guilty of arson, passed by the City Council on November 7, 1912, and recorded in Minute Book No. 5, at Page 374.

It was moved and seconded that the claim of Mrs. Alma Rhodes Boerner against the City of Austin with regard to the Trust Estate created by Dr. Morris H. Boerner, Deceased, as submitted by A. W. Walker, Jr., Attorney for the said Mrs. Alma Rhodes Boerner, be accepted and the City Manager be directed to notify said Attorney of its acceptance and to have the necessary papers prepared for execution. The motion carried by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

There being no further business, upon motion of Councilman Alford, the Council recessed, subject to call of the Mayor, by the following vote: Ayes, Councilman Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

Attest:

Helene McKellar City Clerk

Approved:

Tom Miller
Mayor.

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, November 14, 1935.

The meeting was called to order at 10:30 A. M., with Mayor Tom Miller presiding. Roll call showed the following members present: Councilmen C. F. Alford, Simon Gillis, Mayor Miller, and Councilman Oswald G. Wolf, 4; absent, Councilman C. M. Bartholomew, 1.

The Minutes of the last regular meeting were read and upon motion of Councilman Gillis, were adopted as read, by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

A committee from the Texas Fine Arts Association, composed of M. H. Reed, Ralph Goeth, Mrs. Roger Roberdeau, and others, came before the Council and asked that the City contribute to the salary of a caretaker for the Elizabeth Ney Museum, in the amount of Twenty-five Dollars per month. The matter was taken under advisement.

Councilman Alford offered the following resolution:

WHEREAS, Moore Construction Company is the Contractor for the construction of a building located at 202 West Seventh Street, and desires a portion of the sidewalk, street, and alley spaces abutting Lots 5 and 6, Block 82, of the Original City of Austin, Texas, during the construction of the building, such space to be used in the work and for the storage of materials therefor; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

1. THAT space for the uses hereinabove enumerated be granted to said Moore Construction Company, the boundary of which is described as follows:

SIDEWALK, STREET, AND ALLEY WORKING SPACES

Beginning at the southeast corner of the above described Lot 6; thence in a westerly direction along the north line of West 7th Street a distance of 92 feet; thence in a southerly direction and at right angles to the centerline of West 7th Street a distance of 30 feet; thence in an easterly direction and parallel with the centerline of West 7th Street a distance of 92 feet; thence in a northeasterly direction and at a 45° angle to the centerline of West 7th Street a distance to a point in the north line of West 7th Street 30 feet east of the west line of Colorado Street; thence in a northerly direction and parallel with the centerline of Colorado Street a distance of 128 feet; thence in a westerly direction a distance to a point in the west line of Colorado Street 8 feet north of the south line of the alley traversing the above described Block 82; thence in a westerly direction and parallel with the center line of said alley a distance of 92 feet; thence in a southerly direction and at right angles to the centerline of said alley a distance to the south line of said alley; thence in an easterly direction along the south line of said alley a distance to the west line of Colorado Street; thence in a southerly direction along the west line of Colorado Street to the place of the beginning.

2. THAT the above privileges and allotment of space are granted to said Moore Construction Company, hereinafter termed "Contractor," upon the following express terms and conditions:

(1) That the Contractor shall construct a 4 foot walkway within the above described working spaces along the south line of the 7th Street working space and along the east line of the Colorado Street working space, such walkway to be protected on each side by a guard rail at least 4 feet high and substantially braced and anchored, and that the Contractor shall further construct guard rails at least 4 feet high and substantially braced and anchored around the balance of the working spaces in the streets and alley.

(2) That the Contractor shall in no way obstruct any fire plugs or other public utilities in the construction of such guard rail.

(3) That provision shall be made for the normal flow of all storm waters in the gutter, and the Contractor will be responsible for any damage done due to obstruction of any such storm waters.

(4) That the Contractor shall place on the outside corners of any walkway, barricades or obstructions, red lights during all periods of darkness.

(5) That the Contractor is permitted to construct a temporary work office within such allotted working space provided such work office is not within 25 feet of any corner street intersection.

(6) That the Contractor shall remove all fences, barricades, loose materials, and other obstructions on the sidewalk, street and alley immediately after the necessity for their existence on said sidewalk, street, or alley has ceased, such time to be determined by the City Manager, and in any event all such sidewalk, barricades, materials, equipment, and other obstructions shall be removed not later than July 1, 1936.

(7) That the Contractor shall restore all public and private property injured during the use of such space to as good condition as the same existed before the use of such space began.

(8) That the City reserves the right to revoke at any time any and all the privileges herein granted or to require the erection or installation of additional barriers or safeguards if the conditions demand it.

(9) That the Contractor shall furnish the City of Austin a surety bond in the sum of Five Thousand Dollars (\$5,000.00), which shall protect, indemnify, and hold harmless the City of Austin from any claims for damages to any person or property that may accrue to or be brought by any person by reason of the exercise of the privileges granted the Contractor by the City of Austin, and shall guarantee the replacement of all sidewalks, pavement, and all other public property and public utilities disturbed or removed during

the construction work, and shall further guarantee the construction of a walkway and other safeguards during the occupancy of the space.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

Councilman Alford offered the following resolution:

WHEREAS, M. L. Pearson is the Contractor for the alteration of a store front at 813 Congress Avenue, and desires a portion of the sidewalk space abutting the south one-half of Lot 4, Block 97, of the Original City of Austin, Texas, during the alteration of the store front, such space to be used in the work and for the storage of materials therefor; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

1. THAT space for the uses hereinabove enumerated be granted to said M. L. Pearson, the boundary of which is described as follows:

SIDEWALK WORKING SPACE

Beginning at the southwest corner of the above described lot; thence in a westerly direction and at right angles to the centerline of Congress Avenue a distance to the east curb line of Congress Avenue; thence in a northerly direction along the east line of Congress Avenue a distance of 23 feet; thence in an easterly direction and at right angles to the centerline of Congress Avenue a distance to the east line of Congress Avenue; thence in a southerly direction along the east line of Congress Avenue to the place of the beginning.

2. THAT the above privileges and allotment of space are granted to said M. L. Pearson, hereinafter termed "Contractor," upon the following express terms and conditions:

(1) That the Contractor shall maintain an unobstructed walkway at least 4 feet wide through the above described sidewalk working space, such walkway to be protected from the other working spaces used in the construction by a guard rail at least 4 feet high and substantially braced and anchored.

(2) That the Contractor shall in no way obstruct any fire plugs or other public utilities in the construction of such guard rail.

(3) That provision shall be made for the normal flow of all storm waters in the gutter, and the Contractor will be responsible for any damage done due to obstruction of any such storm waters.

(4) That the Contractor shall place on the outside corners of any walkway, barricades, or obstructions, red lights during all periods of darkness.

(5) That the Contractor shall remove all fences, barricades, loose materials, and other obstructions on the sidewalk and street immediately after the necessity for their existence on said sidewalk or street has ceased, such time to be determined by the City Manager, and in any event all such sidewalk, barricades, materials, equipment, and other obstructions shall be removed not later than November 30, 1935.

(6) That the Contractor shall restore all public and private property injured during the use of such space to as good condition as the same existed before the use of such space began.

(7) That the City reserves the right to revoke at any time any and all the privileges herein granted or to require the erection or installation of additional barriers or safeguards if the conditions demand it.

(8) That the Contractor shall furnish the City of Austin a surety bond in the sum of Two Thousand Dollars (\$2,000.00), which shall protect, indemnify, and hold harmless the City of Austin from any claims for damages to any person or property that may accrue to or be brought by any person by reason of the exercise of the privileges granted the Contractor by the City of Austin, and shall guarantee the replacement of all sidewalks, pavement, and

all other public property and public utilities disturbed or removed during the construction work, and shall further guarantee the construction of a walkway and other safeguards during the occupancy of the space.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

Councilman Gillis offered the following resolution:

WHEREAS, there appears of record in Plat Book 1, at page 52, of the Plat Records on file with the County Clerk of Travis County, Texas, a map of a subdivision known as the R. L. Sweetman's Homestead, and upon said map of the R. L. Sweetman's Homestead is shown a 17-foot alley south of and contiguous to Block B-7 of said Homestead, which alley is the first alley south of West Johanna Street and begins at an alley 160 feet west of the west line of South Congress Avenue and extends in a westerly direction a distance of approximately one block to an alley; and

WHEREAS, the first mentioned alley has been under fence for a great many years by the owners of the various lots abutting said alley thereby preventing the general public the use of said alley; and

WHEREAS, the owners of various properties abutting said alley are desirous of having same opened for free and unobstructed use by vehicles and have petitioned the City Council of the City of Austin to have this alley opened; and

WHEREAS, said petition has been reviewed by the City Council of the City of Austin; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT that certain 17-foot alley south of and contiguous to Block B-7 of a subdivision known as R. L. Sweetman's Homestead according to a map or plat of said R. L. Sweetman's Homestead appearing in Book 1, at page 52, of the Plat Records on file with the County Clerk of Travis County, Texas, and which alley is the first alley south of West Johanna Street, be and the same is hereby ordered opened for public use for its entire length of approximately one block, beginning at the west line of Lot 5, Block B-7, of R. L. Sweetman's Homestead and extending in a westerly direction a distance of approximately one block to the east line of Block B-6 of said R. L. Sweetman's Homestead.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

Councilman Alford offered the following resolution:

WHEREAS, the Missouri Pacific Railway Company has presented to the City Council of the City of Austin, Texas, a request for permission to construct, maintain and operate a 1½" steam line across West 3rd Street near the west line of Congress Avenue and a 1½" steam line across Congress Avenue at the intersection of 3rd Street; and

WHEREAS, the City Engineer has recommended that said installation be approved and the City Council has reviewed said recommendation; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the Missouri Pacific Railway Company be and the same is hereby permitted to install a 1½" steam line across West 3rd Street at a location 20 feet west of the west line of Congress Avenue and a 1½" steam line across Congress Avenue, beginning at a point 20 feet west of the west line of Congress Avenue and 15 feet south of the centerline of 3rd Street; thence in an easterly direction with the centerline of said steam line, which centerline shall be 15 feet south of and parallel to the centerline of 3rd Street, for a distance of 140 feet.

The construction, maintenance and operation of the aforesaid steam lines shall be carried out under the direction and supervision of the City Engineer of the City of Austin or his duly authorized representative and shall be placed in a cast iron conduit, the minimum diameter of which conduit shall be four (4) inches, and shall be so constructed that said steam lines may be repaired and maintained without ever disturbing any of the sidewalk area or any of the permanent pavement now existing on either 3rd Street or Congress Avenue, and in the acceptance of this permit the Missouri Pacific Railway Company assumes all damage which may occur to public or private property by virtue of the steam line being placed in 3rd Street and in Congress Avenue.

It is further understood that any damages whatsoever caused to existing utilities during the course of construction or maintenance of said steam lines shall be paid for by the Missouri Pacific Railway Company.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

Councilman Wolf offered the following resolution:

WHEREAS, Mrs. E. P. Wilmot, acting by and through Harrison-Wilson Company, her agents, owner of Lot 8, Block 83, of the Original City of Austin, Travis County, Texas, which property abuts the east side of Colorado Street between West 7th Street and West 8th Street, has made application to the City Council of the City of Austin for permission to construct one 15-foot commercial driveway across the east sidewalk area of said Colorado Street, the centerline of which 15-foot commercial driveway shall be 15 feet north of the north side of the Norwood Motoramp Garage building as shown on the plan hereto attached marked 2-C-615, which plan is made a part of said request; and

WHEREAS, the City Council of the City of Austin has favorably considered the granting of said request; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT Mrs. E. P. Wilmot, acting by and through Harrison-Wilson Company, her agents, owner of Lot 8, Block 83, of the Original City of Austin, Travis County, Texas, which property abuts the east side of Colorado Street at a location between West 7th Street and West 8th Street, is hereby permitted to construct one 15-foot commercial driveway across the east sidewalk area of said Colorado Street, the centerline of which commercial driveway shall be 15 feet north of the north side of the Norwood Motoramp Garage building, subject to the construction of concrete ramps, curbs, driveway, sidewalks and expansion joints as shown upon the plan marked 2-C-615, which plan is hereby made a part of this resolution, and further subject to the condition that all concrete curb, ramp and driveway construction done within the City streets shall be done by a bonded sidewalk contractor under the direction and supervision of the City Engineer of the City of Austin and in accordance with lines and grades furnished by the Engineering Department of the City of Austin.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

Councilman Alford offered the following resolution:

WHEREAS, Texas Public Service Company has presented to the City Council tentative maps or plans showing the proposed construction of its gas mains in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Council; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT Texas Public Service Company be and the same is hereby permitted to lay and construct its gas mains in and upon the following streets:

(1) A gas main in DANCY STREET, beginning at a point 15 feet east of the west line of Dancy Street and 281 feet north of the north line of Manor Road;

Thence in a northerly direction with the centerline of a gas main, which centerline shall be 15 feet east of and parallel to the west line of said Dancy Street, for a distance of 100 feet.

Said gas main described above shall have a cover of not less than 2½ feet.

(2) A gas main in WEST JAMES STREET, beginning at a point 7½ feet south of the north line of West James Street and 195 feet east of the east line of Bouldin Avenue;

Thence in an easterly direction with the centerline of a gas main, which centerline shall be 7½ feet south of and parallel to the north line of West James Street, for a distance of 105 feet.

Said gas main described above shall have a cover of not less than 2½ feet.

(3) A gas main in WEST JOHANNA STREET, beginning at a point 7½ feet south of the north line of said West Johanna Street and 25 feet west of the east line of South 5th Street;

Thence in a westerly direction with the centerline of a gas main, which centerline shall be 7½ feet south of and parallel to the north line of said West Johanna Street, for a distance of 315 feet.

Said gas main described above shall have a cover of not less than 2½ feet.

(4) A gas main in COLUMBUS STREET, beginning at a point 7½ feet north of the north line of Columbus Street and 57 feet east of the east line of Bouldin Avenue;

Thence in an easterly direction with the centerline of a gas main, which centerline shall be 7½ feet south of and parallel to the north line of Columbus Street, for a distance of 315 feet.

Said gas main described above shall have a cover of not less than 2½ feet.

The Texas Public Service Company is hereby put upon notice that the City of Austin does not guarantee that the space assigned above is clear from other underground utilities, but is based upon the best records we have at hand, and that the minimum depth stated does not have any reference to the fact that greater depths may not be required at special points. When the Texas Public Service Company requires definite information upon the ground as to elevations or working points from which to base the location of their assignments they shall apply to the City Engineering Department not less than three (3) days before such information is required. The Texas Public Service Company is further put upon notice that they will be required to bear the expense of repairs or replacement of any underground utility damaged during the construction of lines named in this resolution.

AND THAT whenever pavement is out in the vicinity of a fire plug, water must be used at intervals during the course of backfilling of the ditches.

THAT the work and laying of said gas mains, including the excavation in the streets and the restoration and maintenance of said streets after said mains have been laid, shall be under the supervision and direction of the City Manager, and under all the pertinent terms and conditions of the certain franchise granted to said Company by the City of Austin.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

Councilman Alford moved that upon the recommendation of Roy J. Smith, Sergeant of Police, Traffic Division, Barney B. Blount be granted a Taxicab Driver's Permit. The motion carried by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

Councilman Alford moved that the requirement of the Taxicab Ordinance that all applications remain on file five days prior to being acted upon be waived and the application of Howard B. Tucker, 408 East 11th Street, for license to operate as a taxicab a 4-door Ford Sedan, 1934 model, Factory No. 740253, State Highway License No. 960-464,

be granted. The motion carried by the following vote: Ayea, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

Councilman Wolf offered the following resolution:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the City Manager be, and he is hereby authorized to execute on behalf of the City of Austin the agreement between the City of Austin and Westenfield Development Company, the terms of which follow:

THAT this agreement, made and entered into by and between the City of Austin, a municipal corporation, acting by and through its City Manager, under authority of its City Council, and Westenfield Development Company, a private corporation, acting by and through Margaret Graham Cruseman, its president, hereunto authorized by resolution of its Board of Directors, WITNESSETH:

1. Westenfield Development Company agrees that it will lay and construct, at its own cost and expense, and in accordance with the plans, specifications and requirements, and under the supervision and subject to the approval of the City of Austin, a water pipe line, or water pipe lines, and appurtenances, necessary and adequate to connect with the present water system of the City of Austin, Tarry-Town No. Two and Tarry-Town No. Three, subdivisions of certain property owned by Westenfield Development Company and lying at present outside the corporate limits of the City of Austin, for the purpose of supplying said subdivisions with water service by the City of Austin; it being provided that all lines constructed under this agreement shall be laid on public streets and on designated county roads, and if any portion of said line or lines is required to be laid through private property, that a definite easement for right-of-way be secured sufficient for all utility space assignments; and in consideration of the benefits to be received by Westenfield Development Company in the service of water from the water system of the City of Austin, Westenfield Development Company agrees upon the completion thereof to convey to the City of Austin the title to all of said line or lines lying in the public highways, roads and alleys, and in easements acquired for the purpose of laying said lines.

2. Westenfield Development Company further agrees that immediately upon the completion of said line or lines, it will furnish to the City of Austin authenticated original duplicates of all receipted bills, showing the reasonable and necessary expense, as having been theretofore mutually agreed by the parties hereto, in the laying and constructing of said water line, or water lines, which receipted bills shall be attached to this agreement and shall become evidence of the cost of such line or lines, for the purpose of any refund which may be made under the terms of this agreement.

3. It is agreed that if at any time within fifteen years from the date of this agreement, Tarry-Town No. Two and/or Tarry-Town No. Three shall be included by annexation within the corporate limits of the City of Austin, Westenfield Development Company shall be entitled to be reimbursed by the City of Austin for the cost of such line or lines, as shown by the receipted bills hereinabove mentioned, such reimbursement to be without interest, and to be made upon the following terms: One year after the first day of January of the year immediately following such annexation, the City of Austin will refund an amount equal to five times the gross revenue received from water customers connected with said line or lines during such one-year period, and at the end of each subsequent year a similar amount will be so refunded until the total cost of such line or lines, less depreciation as hereinafter provided, shall have been refunded; provided, that due allowance shall be made for depreciation of said line or lines from the date of completion to the date of annexation, as follows:

On all lines under six inches in size and on all appurtenances and accessories thereto, at the rate of five per cent (5%) for each year, and on all lines of six inches or over in size and on all appurtenances and accessories thereto, at the rate of three per cent (3%) for each year, provided, that the lines of six inches or over are constructed of cast iron pipe, otherwise such lines shall bear the same rate of depreciation as herein fixed for lines under six inches in size.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

Councilman Alford offered the following resolution:

WHEREAS, Chas. M. Bialkowski is the Contractor for the alteration of a store front located at 619 Congress Avenue, and desires a portion of the sidewalk space abutting the north one-half of Lot 5, Block 69, of the Original City of Austin, Texas, during the alteration of the store front, such space to be used in the work and for the storage of materials therefor; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

1. That space for the uses hereinabove enumerated be granted to said Chas. M. Bialkowski, the boundary of which is described as follows:

SIDEWALK WORKING SPACE

Beginning at the northwest corner of the above described lot; thence in a westerly direction and at right angles to the centerline of Congress Avenue a distance to the east curb line of Congress Avenue; thence in a southerly direction along the east curb line of Congress Avenue a distance of 23 feet; thence in an easterly direction and at right angles to the centerline of Congress Avenue a distance to the east line of Congress Avenue; thence in a northerly direction along the east line of Congress Avenue to the place of the beginning.

2. That the above privileges and allotment of space are granted to said Chas. M. Bialkowski, hereinafter termed "Contractor," upon the following express terms and conditions:

(1) That the Contractor shall maintain an unobstructed walkway at least 4 feet wide through the above described sidewalk working space, such walkway to be protected on each side by guard rails at least 4 feet high and substantially braced and anchored.

(2) That the Contractor shall in no way obstruct any fire plugs or other public utilities in the construction of such guard rail.

(3) That provision shall be made for the normal flow of all storm waters in the gutter, and the Contractor will be responsible for any damage done due to obstruction of any such storm waters.

(4) That the Contractor shall place on the outside corners of any walkway, barricades or obstructions, red lights during all periods of darkness.

(5) That the Contractor shall remove all fences, barricades, loose materials, and other obstructions on the sidewalk and street immediately after the necessity for their existence on said sidewalk or street has ceased, such time to be determined by the City Manager, and in any event all such sidewalk, barricades, materials, equipment, and other obstructions shall be removed not later than November 30, 1935.

(6) That the Contractor shall restore all public and private property injured during the use of such space to as good condition as the same existed before the use of such space began.

(7) That the City reserves the right to revoke at any time any and all the privileges herein granted or to require the erection or installation of additional barriers or safeguards if the conditions demand it.

(8) That the Contractor shall furnish the City of Austin a surety bond in the sum

of Three Thousand Dollars (\$3,000.00), which shall protect, indemnify, and hold harmless the City of Austin from any claims for damages to any person or property that may accrue to or be brought by any person by reason of the exercise of the privileges granted the Contractor by the City of Austin, and shall guarantee the replacement of all sidewalks, pavement, and all other public property and public utilities disturbed or removed during the construction work, and shall further guarantee the construction of a walkway and other safeguards during the occupancy of the space.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

Councilman Gillis offered the following resolution:

WHEREAS, C. B. Yarbrough is the Contractor for the reconstruction of an awning located at 520 East Sixth Street, and desires a portion of the sidewalk and street space abutting the West one-half of Lot 4, Block 65, of the Original City of Austin, Texas, during the reconstruction of the awning, such space to be used in the work and for the storage of materials therefor; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

1. That space for the uses hereinabove enumerated be granted to said C. B. Yarbrough, the boundary of which is described as follows:

SIDEWALK AND STREET WORKING SPACE

Beginning at the southwest corner of the above described lot; thence in a southerly direction and at right angles to the centerline of East 6th Street a distance of 15 feet; thence in an easterly direction and parallel with the centerline of East 6th Street, a distance of 34½ feet; thence in a northerly direction and at right angles to the centerline of East 6th Street a distance to the north line of East 6th Street; thence in a westerly direction along the north line of East 6th Street to the place of the beginning.

2. That the above privileges and allotment of space are granted to said C.B. Yarbrough, hereinafter termed "Contractor," upon the following express terms and conditions:

(1) That the Contractor shall construct a 4-foot walkway in the street space adjacent to the curb, such walkway to be protected on each side by guard rails at least 4 feet high and substantially braced and anchored.

(2) That the Contractor shall in no way obstruct any fire plug or other public utilities in the construction of such guard rail.

(3) That provision shall be made for the normal flow of all storm waters in the gutter, and the Contractor will be responsible for any damage done due to obstruction of any such storm waters.

(4) That the Contractor shall place on the outside corners of any walkway, barricades or obstructions, red lights during all periods of darkness.

(5) That the Contractor shall remove all fences, barricades, loose materials, and other obstructions on the sidewalk and street immediately after the necessity for their existence on said sidewalk or street has ceased, such time to be determined by the City Manager, and in any event all such sidewalk barricades, materials, equipment, and other obstructions shall be removed not later than November 22, 1935.

(6) That the Contractor shall restore all public and private property injured during the use of such space to as good condition as the same existed before the use of such space began.

(7) That the City reserves the right to revoke at any time any and all the privileges herein granted, or to require the erection or installation of additional barriers or safeguards if the conditions demand it.

(8) That the Contractor shall furnish the City of Austin a surety bond in the sum of One Thousand Dollars (\$1,000.00), which shall protect, indemnify and hold harmless the

City of Austin from any claims for damages to any person or property that may accrue to or be brought by any person by reason of the exercise of the privileges granted the Contractor by the City of Austin, and shall guarantee the replacement of all sidewalks, pavement, and all other public property and public utilities disturbed or removed during the construction work, and shall further guarantee the construction of a walkway and other safeguards during the occupancy of the space.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

Councilman Alford offered the following resolution:

WHEREAS, J. R. Blackmore is the Contractor for the alteration of a store front located at 102 West 6th Street, and desires a portion of the sidewalk and street space abutting Lot 1, Block 70, of the Original City of Austin, Texas, during the alteration of the store front, such space to be used in the work and for the storage of materials therefor; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

1. That space for the uses hereinabove enumerated be granted to said J. R. Blackmore, the boundary of which is described as follows:

SIDEWALK AND STREET WORKING SPACE

Beginning at a point in the north line of West 6th Street 80 feet west of the west line of Congress Avenue; thence in a southerly direction and at right angles to the centerline of Congress Avenue a distance of 18 feet; thence in a westerly direction and parallel with the centerline of West 6th Street a distance of 30 feet; thence in a northerly direction and at right angles to the center line of West 6th Street a distance to the north line of West 6th Street; thence in an easterly direction along the north line of West 6th Street to the place of the beginning.

2. That the above privileges and allotment of space are granted to said J.R.Blackmore, hereinafter termed "Contractor," upon the following express terms and conditions:

(1) That the Contractor shall maintain at least a 4-foot walkway through the above described sidewalk space, such walkway to be protected on each side by guard rails at least 4 feet high and substantially braced and anchored, and that the Contractor shall further construct guard rails around the balance of the sidewalk and street working spaces, such guard rails likewise to be at least 4 feet high and substantially braced and anchored.

(2) That the Contractor shall in no way obstruct any fire plugs or other public utilities in the construction of such guard rails.

(3) That provision shall be made for the normal flow of all storm waters in the gutter, and the Contractor will be responsible for any damage done due to obstruction of any such storm waters.

(4) That the Contractor shall place on the outside corners of any walkway, barricades, or obstructions, red lights during all periods of darkness.

(5) That the Contractor shall remove all fences, barricades, loose materials, and other obstructions on the sidewalk and street immediately after the necessity for their existence on said sidewalk or street has ceased, such time to be determined by the City Manager, and in any event all such sidewalk barricades, materials, equipment, and other obstructions shall be removed not later than November 30, 1935.

(6) That the Contractor shall restore all public and private property injured during the use of such space to as good condition as the same existed before the use of such space began.

(7) That the City reserves the right to revoke at any time any and all the privileges herein granted or to require the erection or installation of additional barriers or safeguards if the conditions demand it.

(8) That the Contractor shall furnish the City of Austin a surety bond in the sum of Five Thousand Dollars (\$5,000.00), which shall protect, indemnify, and hold harmless the City of Austin from any claims for damages to any person or property that may accrue to or be brought by any person by reason of the exercise of the privileges granted the Contractor by the City of Austin, and shall guarantee the replacement of all sidewalks, pavement, and all other public property and public utilities disturbed or removed during the construction work, and shall further guarantee the construction of a walkway and other safeguards during the occupancy of the space.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

Councilman Gillis offered the following resolution:

WHEREAS, Carl E. Quick is the Contractor for the alteration of a building located at 1514 Lavaca Street, and desires a portion of the alley space abutting Lot 6, Block 38, Division "E" of the City of Austin, Texas, during the alteration of the building, such space to be used in the work and for the storage of materials therefor; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

L. That space for the uses hereinabove enumerated be granted to said Carl E. Quick, the boundary of which is described as follows:

ALLEY WORKING SPACE

Beginning at the southeast corner of the above described lot; thence in a southerly direction and at right angles to the centerline of the alley traversing the above described Block 38 a distance of 10 feet; thence in a westerly direction and parallel with the centerline of said alley a distance of 150 feet; thence in a northerly direction and at right angles to the centerline of said alley a distance to the north line of said alley; thence in an easterly direction along the north line of said alley to the place of the beginning.

2. That the above privileges and allotment of space are granted to said Carl E. Quick, hereinafter termed "Contractor," upon the following express terms and conditions:

(1) That the Contractor shall construct a guard rail around the above described working space, such guard rail to be at least 4 feet high and substantially braced and anchored.

(2) That the Contractor shall in no way obstruct any fire plugs or other public utilities in the construction of such guard rails.

(3) That provision shall be made for the normal flow of all storm waters in the gutter and the Contractor will be responsible for any damage done due to obstruction of any such storm waters.

(4) That the Contractor shall place on the outside corners of any walkway, barricades or obstructions, red lights during all periods of darkness.

(5) That the Contractor shall remove all fences, barricades, loose materials, and other obstructions on the sidewalk and street immediately after the necessity for their existence on said sidewalk or street has ceased, such time to be determined by the City Manager, and in any event all such sidewalk, barricades, materials, equipment, and other obstructions shall be removed not later than December 5, 1935.

(6) That the Contractor shall restore all public and private property injured during the use of such space to as good condition as the same existed before the use of such space began.

(7) That the City reserves the right to revoke at any time any and all the privileges herein granted, or to require the erection or installation of additional barriers or safeguards if the conditions demand it.

(8) That the Contractor shall furnish the City of Austin a surety bond in the sum of Five Thousand Dollars (\$5,000.00), which shall protect, indemnify, and hold harmless the City of Austin from any claims for damages to any person or property that may accrue to or

be brought by any person by reason of the exercise of the privileges granted the Contractor by the City of Austin, and shall guarantee the replacement of all sidewalks, pavement, and all other public property and public utilities disturbed or removed during the construction work, and shall further guarantee the construction of a walkway and other safeguards during the occupancy of the space.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

The City Manager submitted a statement of the total amount of uncollected delinquent and current taxes due the various funds. The City Attorney was instructed to notify all delinquent taxpayers that suits would be instituted on all taxes delinquent on December 1, in order that the City might have sufficient funds on hand to receive WPA grants for the various projects contemplated.

Upon motion duly made and seconded, the meeting was recessed at 1:30 P. M., subject to call of the Mayor.

Attest:

Walter McKeen
City Clerk

Approved: Tom Miller
Mayor.

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, November 21, 1935

The meeting was called to order at 10:55 A. M., with Mayor Tom Miller presiding. Roll call showed the following members present: Councilmen C. F. Alford, C. M. Bartholomew, Simon Gillis, Mayor Tom Miller, 4; absent, Councilman Oswald G. Wolf, 1.

The reading of the Minutes was dispensed with.

Mr. John Keen, Chairman of Law Enforcement Committee of the Advisory Traffic Safety Committee, and members of his committee, presented to the Council for indorsement a plan for a traffic school for first offenders, said plan having been indorsed by the Advisory Traffic Safety Committee and the Judge of the Corporation Court. By general consent, the plan was approved.

The following resolution was submitted by Councilman Gillis and read in full:

WHEREAS, an election was held in the City of Austin, Texas, on the 14th day of November, 1935, at which election there was submitted to the qualified voters of said City, for their action thereon, the certain proposition as follows:

Shall the City Council of the City of Austin be authorized to issue bonds of said City in the sum of Three Hundred and Fifty Thousand Dollars (\$350,000.00), for the purpose of the construction and improvement of Public Free School Buildings in the City of Austin, and the purchase of Grounds and Equipment therefor; said bonds to bear interest at a rate not exceeding five (5%) per centum per annum, interest payable semi-annually, and to mature not exceeding forty years from the date of said bonds, serially or otherwise, as may be determined by ordinance of the City Council, and to annually levy a tax sufficient to pay the interest on said bonds and to create a sinking fund of at least two (2%) per centum of the